

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re: Chapter 11

CONGREGATION BIRCHOS YOSEF, Case No. 15-22254 (RDD)

Debtor. **APPLICATION**

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**TO THE HONORABLE ROBERT D. DRAIN:  
UNITED STATES BANKRUPTCY JUDGE:**

The Application of Congregation Birchos Yosef (the “Debtor”) seeking retention of substitute counsel for the Debtor, represents and shows this Court as follows:

1. On February 26, 2015 (the "Petition Date"), the Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code.
2. The Debtor is a religious organization that operates a shul, a school, and also owns certain real property.
3. While the Debtor has had multiple attorneys, it seeks to employ Goldberg Weprin Finkel Goldstein LLP (“GWFG”), as its bankruptcy counsel with the hope that the firm can help effectuate a permanent restructuring of the Debtor’s mortgage obligation and other debts. The firm came highly recommended and is well-versed in bankruptcy matters.
4. On February 17, 2016, the Debtor’s prior counsel, the Law Offices of Allen A. Kobler, Esq., filed a motion for their withdrawal as counsel for

the Debtor [Dkt. No. 233]. GWFG has consulted with Mr. Kobler is prepared to take responsibility for this Chapter 11 case moving forward.

5. The professional services that GWFG will render include but are not limited to the following:

- (a) reforming a viable plan of reorganization to compete with the liquidating plan filed by the Debtor's senior secured creditor;
- (b) helping the Debtor develop sales contracts and mortgage applications to generate sufficient funds to address creditors' claims, replete with proper projections and operating information;
- (c) providing the Debtor with legal counsel with respect to its powers and duties as a debtor-in-possession in the continued management of its property during the Chapter 11 case;
- (d) preparing on behalf of the Debtor all necessary applications, answers, orders, reports, and other legal documents which may be required in connection with the Chapter 11 case;
- (e) dealing with residual claims of other creditors; and
- (f) performing such other legal services for the Debtor to bring the Chapter 11 case to a successful conclusion.

6. To the best of the Debtor's knowledge, and as set forth in the accompanying Declaration of Disinterestedness of Kevin J. Nash, Esq., GWFG has no connection with, and no interests adverse to the Debtor, its creditors, or other parties in interest.

7. By substitution dated March 1, 2016, GWFG replaced the Law Offices of Allen A. Kobler, Esq., as counsel for the Debtor.

WHEREFORE, the Debtor requests entry of the pre-fixed order authorizing the retention of Goldberg Weprin Finkel Goldstein LLP as substitute attorneys herein, together with such other and further relief as is just, proper and equitable.

Dated: New York, New York  
March 1, 2016

CONGREGATION BIRCHOS YOSEF

By: /s/ Brendy Lebovits  
Brendy Lebovits

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